

UNITED STATES DISTRICT COURT, DISTRICT OF MONTANA, MISSOULA DIVISION

CHANTEL COOPER, Miranda Sheridan  
Sunny Ellerwood PLAINTIFF,

v.

MAYOR PAUL BRINEY

COMMISSIONER WILLIAM BARRON

COMMISSIONER GALE DECKER

COMMISSIONER STEVE STANLEY

SHERIFF DON BELL

UNDER SHERIFF BEN WOODS

JUDGE DEBORAH KIM CHRISTOPHER

JUDGE JAMES MANLEY

BENJAMIN R. ANCIAUX

JAMES LAPOTICA

STEVEN ESCHENBACHER

MOLLY OWEN

ROBERT J. LONG

JAIL STAFF

CITY OF POLSON.

DEFENDANTS.

CIVIL ACTION NO.

JURY TRIAL  
DEMANDED.

COMPLAINT,

JAN 18 2021  
Clerk, U.S. Courts  
District of Montana  
Missoula Division

CHANTEL COOPER, WAS AND IS CONFINED AT THE LAKE COUNTY JAIL FACILITY LOCATED AT 106 4TH AVE. EAST, IN THE CITY OF POLSON, STATE OF MONTANA, FROM OCTOBER 26, 2021 TO PRESENT. Miranda Sheridan, 7-30-21 Sunny Ellerwood 1-9-22

DEFENDANT MAYOR PAUL BRINEY, WAS AT ALL RELEVANT TIMES, HELEN THE MAYOR OF THE CITY OF POLSON,

DEFENDANT COMMISSIONER WILLIAM BARRON WAS AT ALL RELEVANT TIMES HELEN THE COMMISSIONER, AND AS A INDIVIDUAL AS COMMISSIONER OF ADULT SERVICES FOR THE CITY OF POLSON. HIS RESPONSIBILITY IS OPERATING AND MAINTAINING DETENTION, PENAL, AND CORRECTIVE INSTITUTIONS WITHIN THE CITY OF POLSON, INCLUDING THE COUNTY JAIL.

DEFENDANT COMMISSIONER GALE DECKER, WAS AT ALL RELEVANT TIMES HELEN THE COMMISSIONER, AND AS A INDIVIDUAL, AS COMMISSIONER OF ADULT SERVICES FOR THE CITY OF POLSON HIS RESPONSIBILITY IS OPERATING AND MAINTAINING DETENTION, PENAL, AND CORRECTIVE

INSTITUTIONS WITHIN THE CITY OF POLSON, INCLUDING COUNTY JAIL.

DEFENDANT COMMISSIONER STEVE STANLEY WAS AT ALL RELEVANT TIMES HEREIN THE COMMISSIONER, AND AS A INDIVIDUAL, AS COMMISSIONER OF ADULT SERVICES FOR THE CITY OF POLSON HIS RESPONSIBILITY IS OPERATING AND MAINTAINING DETENTION, PENAL, AND CORRECTIVE INSTITUTIONS WITHIN THE CITY OF POLSON INCLUDING COUNTY JAIL.

DEFENDANT SHERIFF DON BELL IS AND WAS AT ALL RELEVANT TIMES HEREIN THE SHERIFF, SUPERINTENDENT (AND AS A INDIVIDUAL) OF THE COUNTY JAIL, AS SUPERINTENDENT DEFENDANT DON BELL MANAGES IT'S DAY TO DAY OPERATIONS AND EXECUTES IT'S POLICIES.

DEFENDANT UNDER SHERIFF BEN WOODS IS AND WAS AT ALL RELEVANT TIMES HEREIN THE UNDER SHERIFF, SUPERINTENDENT (AND AS A INDIVIDUAL) OF THE COUNTY JAIL, AS SUPERINTENDENT, DEFENDANT BEN WOODS MANAGES IT'S DAY TO DAY OPERATIONS AND EXECUTES IT'S POLICIES.

DEFENDANT DEBORAH KIM CHRISTOPHER, DISTRICT COURT JUDGE AND AS A INDIVIDUAL, IS AND WAS AT ALL RELEVANT TIMES HEREIN AN EMPLOYEE OF THE COUNTY.

DEFENDANT JAMES MANLEY, DISTRICT COURT JUDGE, AND AS A INDIVIDUAL, IS AND WAS AT ALL RELEVANT TIMES HEREIN AN EMPLOYEE OF THE COUNTY.

DEFENDANT BEN JAMIN R. ANCIAUX, DEPUTY COUNTY ATTORNEY AND AS A INDIVIDUAL, IS AND WAS AT ALL RELEVANT TIMES HEREIN AN EMPLOYEE OF THE COUNTY.

DEFENDANT JAMES LAPOTKA, DEPUTY COUNTY ATTORNEY AND AS A INDIVIDUAL, IS AND WAS AT ALL RELEVANT TIMES HEREIN AN EMPLOYEE OF THE COUNTY.

DEFENDANT MOLLY OWEN, DEPUTY COUNTY ATTORNEY AND AS A INDIVIDUAL, IS AND WAS AT ALL RELEVANT TIMES HEREIN

AN EMPLOYEE OF THE COUNTY.

Defendant STEVEN ESCHENBACH, HELL COUNTY ATTORNEY, AND AS A INDIVIDUAL, IS AND WAS AT ALL RELEVANT TIMES HELEN AND EMPLOYEE OF THE COUNTY.

Defendant ROBERT J. LOOS, OFFICE OF PUBLIC DEFENDER, AND AS A INDIVIDUAL IS AND WAS AT ALL RELEVANT TIMES HELEN AN EMPLOYEE OF THE COUNTY.

Defendant JAIL STAFF, IS AND WAS AT ALL RELEVANT TIMES HELEN AND EMPLOYEE OF THE COUNTY.

Defendant CITY OF POISON, IS AND WAS AT ALL RELEVANT TIMES HELEN A MUNICIPAL CORPORATION OF THE STATE OF MONTANA.

THIS ACTION ARISES UNDER AND IS BROUGHT PURSUANT TO 42 U.S.C. SECTION 1983 TO REMEDY THE DEPRIVATION UNDER COLOR OF STATE LAW, OF RIGHTS GUARANTEED BY THE EIGHTH AND FOURTEENTH AMENDMENTS TO THE UNITED STATES CONSTITUTION. THIS COURT HAS JURISDICTION OVER THIS ACTION PURSUANT TO 28 U.S.C. SECTIONS 1331 AND 1333. PLAINTIFF'S CLAIMS FOR INJUNCTIVE RELIEF ARE AUTHORIZED BY RULE 65 OF THE FEDERAL RULES OF CIVIL PROCEDURE. THIS CAUSE OF ACTION AROSE IN THE DISTRICT OF MONTANA, MISSOULA DIVISION. THE FORE VENUE IS PROPER UNDER 28 U.S.C. SECTION 1331(B).

PLAINTIFF CHARTEL COOPER HAS NO OTHER LAWSUIT DEALING WITH THE SAME FACTS INVOLVED IN THIS ACTION OR OTHERWISE RELATING TO HER IMPRISONMENT.

THE PLAINTIFF HAS EXHAUSTED ALL AVAILABLE ADMINISTRATIVE REMEDIES WITHIN THE LAKE COUNTY JAIL. GRIEVANCES HAVE BEEN FILED, MOST HAVE NOT BEEN RESPONDED TO.

AT ALL RELEVANT TIMES HEREIN, DEFENDANTS WERE "PERSONS" FOR THE PURPOSE OF 42 U.S.C. SECTION 1983 AND ACTED UNDER COLOR OF LAW TO DEPRIVE THE PLAINTIFF OF HER CONSTITUTIONAL RIGHTS.

THE PLAINTIFF RECOGNIZES THAT CERTAIN PROCEDURES, PRACTICES AND RESOURCES ARE REQUIRED BY CONSTITUTIONAL AND STATUTORY LAW IN CONJUNCTION WITH CONFINING INMATES IN THE LAKE COUNTY DETENTION CENTER. THESE PROCEDURES, PRACTICES AND RESOURCES INCLUDE BUT ARE NOT NECESSARILY LIMITED TO THOSE DESCRIBED IN THE HARRY LORENZ CONSENT DECREE, ORDER AND JUDGMENT. THE FACT THAT CERTAIN LEGAL REQUIREMENTS ARE SET FORTH IN THIS CONSENT DECREE SHALL NOT BE CLAIMED TO PRECLUDE OR LIMIT CLAIMS FOR ADDITIONAL FORMS OF RELIEF WHICH MAY BE MADE IN OTHER CASES IN THE FUTURE INVOLVING ISSUES OR MATTERS NOT RESOLVED BY THIS DECREE.

THIS CONSENT DECREE SHALL BE ONGOING IN NATURE, AND CONTINUE IN FULL FORCE AND EFFECT TO LEGALLY BIND THE PARTIES FROM THE DATE IT IS APPROVED BY THE COURT, REGARDLESS OF WHETHER ANY OF THE NAMED PLAINTIFFS IN THE HARRY LORENZ CASE RESIDES IN THE DETENTION CENTER AT ANY GIVEN TIME. ALL CURRENT AND FUTURE INMATES OF THE DETENTION CENTER AT ANY GIVEN TIME, ARE INTENDED BENEFICIARIES OF THIS CONSENT DECREE, WITH FULL RIGHTS TO PETITION TO ENFORCE ITS TERMS. DATED THIS 27<sup>TH</sup> DAY OF DECEMBER, 2021.

X Chantel Cooper  
(Pls.) Chantel Cooper

PLAINTIFF CHANTEL COOPER, HAS RAISED SEVERAL ISSUES OR  
GRIEVANCE, 1.) IN ADEQUATE HOUSING, OVER CROWDING, NO  
PROPER CLASSIFICATION SYSTEM, UNSANITARY CONDITIONS  
2.) IN ADEQUATE ACCESS TO A UPDATED LEGAL LAW LIBRARY,  
3.) IN ADEQUATE SAFETY RULES FOR FIRE PREVENTION AND ESCAPE  
ROUTES, NO SAFETY EQUIPMENT, OR FIRE EXTINGUISHERS  
4.) INADEQUATE MEDICATION PASS, JAIL STAFF PASS MEDICATION, THERE  
ARE NO NURSES ON DUTY TO PASS MEDICATIONS  
5.) INADEQUATE ACCESS TO RELIGIOUS ACTIVITIES.

-Relief -

THE PLAINTIFF CHANTEL COOPER PRAYS FOR RELIEF IN THE  
AMOUNT OF \$1,500<sup>00</sup> FOR EACH DAY SHE WAS FORCED TO LIVE IN  
THESE INADEQUATE CONDITIONS OF CONFINEMENT. FOR PUNITIVE  
DAMAGES, PLAINTIFF ASKS FOR \$1,500,000<sup>00</sup> MILLION.  
THE PLAINTIFF ALSO ASKS FOR A INDEPENDANT BUILDING  
INSPECTOR TO EXAMINE THE JAIL AND BOARD UP IT.  
THERE IS NO POSSIBLE WAY THIS BUILDING SHOULD OF PASSED  
ANY INSPECTION. HAD IT BEEN A HONEST BUILDING  
INSPECTOR, AND NOT ONE APPOINTED BY THE LAKE  
COUNTY COMMISSIONERS, DATED THIS 27<sup>TH</sup> DAY OF  
DECEMBER, 2021,

X Chantel Cooper  
(Pro se) Chantel Cooper,

(Pro se) X Miranda Sheridan  
Miranda Sheridan

(Pro se) X Sunny Ellerwood  
Sunny Ellerwood

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of Plaintiff's civil suit has been all parts of record, original being sent to Clerk of Court, postage pre paid first class by Plaintiff.

DATED THIS 27<sup>th</sup> day of December 2021

x Chantel Cooper  
Chantel Cooper.

x Miranda Sheridan  
Miranda Sheridan

x Sunny Etterwood  
Sunny Etterwood

DISTRICT OF MONTANA  
OFFICE OF  
CLERK OF DISTRICT COURT  
P.O. BOX 8537  
MISSOULA MONTANA  
59807

CLERK OF DISTRICT COURT - LACIE COUNTY  
106 4TH AVE E.  
POLSON MT.  
59860